

Agriculture, Conservation and Forestry

PUBLIC 497 An Act to Amend the Integrated Pest Management Laws LD 1918

<u>Sponsor(s)</u> KNEELAND MCKEE	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-413
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Public Law 2001, chapter 497 establishes the Integrated Pest Management Council to facilitate, promote, expand and enhance the adoption of integrated pest management in the State. It prohibits the deposit of General Fund money into the Integrated Pest Management Fund.

**PUBLIC 498 An Act to Amend the Laws Governing Pesticide Control to IncreaseLD 1953
the Pesticide Product Registration Fee**

<u>Sponsor(s)</u> LUNDEEN KILKELLY	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-797
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Public Law 2001, chapter 498 increases the annual pesticide registration fee from \$105 to \$115 per product, beginning in calendar year 2003.

**PUBLIC 547 An Act to Clarify the Regulatory Authority of the Maine Forest LD 1855
Service Regarding Forestry-related Quarantines**

<u>Sponsor(s)</u> NUTTING J GOOLEY	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-446
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Public Law 2001, chapter 547 authorizes the Director of the Maine Forest Service to adopt rules to establish quarantines when a disease or insect infestation threatens forest trees or shade trees. It allows the director to order the destruction of trees and plant materials. It requires the director to consult with the landowner and owner of stumpage rights prior to ordering the destruction of condemned material.

**PUBLIC 564 An Act to Implement the Recommendations of the Committee to LD 2097
Study Access to Private and Public Lands in Maine**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM MAJ	H-889
	OTP-AM MIN	

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Public Law 2001, chapter 564 requires a person submitting a proposal for funding from the Land for Maine's Future Fund or the Public Access to Maine Waters Fund to provide information on the anticipated management of the property for the 10 year period following acquisition and costs associated with the management of the property and monitoring for compliance with easements acquired.

It requires the Director of the Bureau of Forestry within the Department of Conservation to include information on changes in ownership of forest land and parcel size in the biennial state of the forest report using information available from the Department of Administrative and Financial Services, Bureau of Revenue Services and information reported to the bureau by municipalities.

It requires the Bureau of Revenue Services to report on land transfers of parcels 10,000 acres and greater in the unorganized territory. It requires the State Tax Assessor to report annually to the Bureau of Forestry on the number of parcels in the unorganized territory taxed under the Maine Tree Growth Tax Law with a breakdown by parcel size categories.

It requires the State Tax Assessor to report annually on the number of landowners owning 500 acres or more of commercial forestland, including a breakdown of the number of landowners by acreage categories.

PUBLIC 572 An Act to Amend the Animal Health and Disease Control Laws LD 1965

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KILKELLY CARR	OTP-AM	S-470

Public Law 2001, chapter 572 revises and updates the provisions for controlling and monitoring diseases affecting livestock and poultry. It establishes civil penalties for violations that prior to enactment of this law were criminal offenses. It enacts a provision for a Class D crime when a disease or pathogen is intentionally, knowingly or recklessly introduced to livestock or poultry. It amends the provisions governing licensing of livestock and poultry dealers, operation of domesticated deer farms and issuance of permits for livestock and poultry auctions.

PUBLIC 594 An Act to Authorize County Extension Building Associations to Borrow Money LD 2111

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SKOGLUND KILKELLY	OTP-AM	H-943 H-969 MCKEE

Public Law 2002, chapter 594 authorizes a county extension building association to borrow money and clarifies that building associations have tax exempt status.

PUBLIC 603 An Act to Address Liquidation Harvesting LD 1920

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Sponsor(s)
KILKELLY
NASS

Committee Report
OTP-AM

Amendments Adopted
S-488

Public Law 2001, chapter 603 requires a landowner harvesting land enrolled under the Tree Growth Tax Law to include on the harvest notification form a statement that the harvest is consistent with the forest management and harvest plan. It clarifies that a change of land use indicated on a harvest notification form constitutes a withdrawal from taxation under the Tree Growth Tax Law. It requires the Director of the Bureau of Forestry to notify tax assessors of actions requiring changes in status under the Maine Tree Growth Tax Law.

It requires a person who buys land taxed under Tree Growth Tax Law to file a statement indicating that a new forest management and harvest plan has been prepared or a statement from a licensed forester that the land is being managed in accordance with the plan prepared for the previous owner. It requires one of the 2 statements to be filed within one year of the land transfer. A new landowner is prohibited from harvesting prior to filing the statement. It makes it a civil violation to provide inaccurate information on a harvest notification form.

It authorizes the Bureau of Forestry to provide assistance to a municipal assessor or the State Tax Assessor in evaluating management plans and determining compliance with a plan. It specifically states that, upon request, a landowner must allow a tax assessor to see a copy of a forest management and harvest plan prepared for land enrolled under the Maine Tree Growth Tax Law and states that the plan is confidential and not a public record. When the assessor requests assistance of the Bureau of Forestry, the plan must also be available to the Director of the Bureau of Forestry or the director's designee.

It directs the Bureau of Forestry to provide information on the practice of liquidation harvesting in its biennial report to the joint standing committee of the Legislature having jurisdiction over forestry matters and to provide the joint standing committee of the Legislature having jurisdiction over tax matters with copies of the 2003 report on the state of the State's forests.

PUBLIC 604 An Act Concerning Rules of the Bureau of Parks and Lands LD 1922

Sponsor(s)
KILKELLY
CARR

Committee Report
OTP-AM

Amendments Adopted
S-480

Public Law 2001, chapter 604 consolidates rule-making authority for facilities and lands under the Department of Conservation, Bureau of Parks and Lands' general authority. It establishes that violations of rules adopted by the bureau are civil violations. It designates certain actions within the jurisdiction of the bureau as Class E crimes. It clarifies that the Director of the Bureau of Parks and Lands may authorize employees to issue summonses or to make arrests. It requires the Director to notify the joint standing committee having jurisdiction over parks and lands prior to adopting a policy authorizing employees to make arrests.

PUBLIC 617 An Act to Amend the Animal Welfare Laws and Increase Funding for Animal Welfare LD 2141

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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-963

Public Law 2001, chapter 617 clarifies that the courts must pay to the towns fines and forfeitures imposed for violations of the Maine Revised Statutes, Title 7, Part 9 and the municipal clerk must deposit the money in the town's animal welfare account. It imposes a surcharge of \$10 on forfeitures for civil violations of the animal welfare laws. It imposes a surcharge of 10% on fines for criminal violations of the animal welfare laws. The surcharge must be deposited in the state Animal Welfare Fund. It allocates from the Animal Welfare Fund to fund 2 District Humane Agents and a Veterinarian positions. It eliminates funding for 4 of the 7 Intermittent State Humane Agents.

PUBLIC 668	An Act to Amend the Pulling Events Laws	LD 1951
EMERGENCY		

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PINEAU	OTP-AM	H-898
KNEELAND		S-571 GOLDTHWAIT

Public Law 2001, chapter 668 provides a new fee structure for permits to conduct pulling events and requires that the fees be deposited in a nonlapsing account. It removes the reference in statute to a specific type of tape for a goad stick. It provides for one member of the Pull Events Commission to be appointed by the Animal Welfare Advisory Council. It clarifies the reporting process and enforcement actions for violations of the laws and rules governing pulling events. Chapter 668 was enacted as emergency legislation with an effective date of April 11, 2002.

Public Law 2001, chapter 668 was enacted as an emergency measure effective April 11, 2002.

P & S 58	An Act to Clarify the Status of Henderson Brook Bridge	LD 1905
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MICHAUD MH	OTP-AM	S-471
BRUNO		

Private and Special Law 2001, chapter 58 allows Henderson Brook Bridge to remain and be repaired pending the Department of Conservation's review of its 1999 Allagash Wilderness Waterway Management Plan. If, upon completion of the review, the department concludes that the bridge should not remain in use, the department must report that decision to the Legislature.

P & S 74	An Act to Support Family Farms	LD 1516
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TREAT	OTP-AM MAJ	S-424
MCKEE	ONTP MIN	S-581 GOLDTHWAIT

Private and Special Law 2001, chapter 74 appropriates funds to establish a 25 hours-per-week Senior Planner position within the Department of Agriculture, Food and Rural Resources. The Senior Planner will provide financial and estate planning to farmers, and outreach and assistance in bringing agricultural projects before the Land for Maine's Future Board. This additional position will also provide resources to the department to establish baseline information on farmland values. Chapter 74 also provides funding for dues for membership in the Northeastern States Association for Agricultural Stewardship.

RESOLVE 71 Resolve, Authorizing the Director of the Bureau of Parks and LandsLD 1839
within the Department of Conservation to Lease a Certain Parcel of
Land to the Federal Aviation Administration

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CARR	OTP	
NUTTING J		

Resolve 2001, chapter 71 authorizes the Department of Conservation, Bureau of Parks and Lands to lease 1/4 acre to the Federal Aviation Administration to continue to provide an outer marker light and compass locator elements for the airplane landing system for Northern Maine Regional Airport at Presque Isle.

RESOLVE 101 Resolve, Regarding Legislative Review of Chapter 21: Statewide LD 2135
EMERGENCY Standards for Timber Harvesting in Shoreland Areas, a Major
Substantive Rule of the Department of Conservation

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-959

Resolve 2001, chapter 101 denies authorization for the Department of Conservation to finally adopt Chapter 21: Statewide Standards for Timber Harvesting in Shoreland Areas. It requires the Department of Conservation to review the proposed provisionally adopted rule and use that as a basis to develop recommendations for a regulatory framework and an implementation plan for the Maine Forest Service to assume existing Department of Environmental Protection and Maine Land Use Regulation Commission responsibility for timber harvesting in shoreland areas. It gives guidance to the department in its continuing efforts and requires the department to provide interim progress reports and a final report no later than January 2, 2003 to the joint standing committee of the Legislature having jurisdiction over forestry matters. It authorizes the joint standing committee of the Legislature having jurisdiction over forestry matters to report out a bill in the First Session of the 121st Legislature.

Resolve 2001, chapter 101 was enacted as an emergency measure effective April 3, 2002.

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RESOLVE 108 Resolve, Authorizing Certain Land Transactions by the Department of Conservation, Bureau of Parks and Lands LD 2168

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN	OTP-AM	S-511
BUNKER		S-513 MARTIN

Resolve 2001, chapter 108 authorizes the Director of the Bureau of Parks and Lands within the Department of Conservation to convey a portion of road in Eagle Lake Township to the Town of Eagle Lake, allowing the road to be established as a public way, maintained by the town. It allows the director to convey a parcel in Eagle Lake, occupied by a septic system, to current lessees of same for fair market value. It also allows the director to convey a portion of the Codyville Public Lot that has been cleared and occupied by residential structures and an associated building to the owners of the structures in exchange for a release of any remaining right they may have in the Codyville Public Lot.

RESOLVE 116 Resolve, to Promote the Interests of the People of Maine when LD 2096 EMERGENCY Public Funds are Used to Acquire Conservation Easements

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM MAJ	H-1100 MCKEE
	ONTP MIN	H-990
		S-586 GOLDTHWAIT

Resolve 2001, chapter 116 recognizes the ongoing work of a group convened by the Executive Director of the State Planning Office to develop a process for state agencies to use when negotiating conservation easements to be acquired with state funds. The working group consists of representatives of the Department of Agriculture, Food and Rural Resources, the Department of Conservation, the Department of Inland Fisheries and Wildlife, the Office of the Attorney General and the Atlantic Salmon Commission. The Resolve directs the Speaker of the House to appoint a Legislator who served on the Committee to Study Access to Private and Public Lands to participate in the working group as it finalizes its work.

The working group is charged with developing criteria for acquiring public access rights and guidelines for stipulations regarding forest management when the landowner retains the right to harvest timber. The Director of the State Planning Office is required to provide notices of all remaining meetings of the working group and to report to the joint standing committee of the Legislature having jurisdiction over public lands matters no later than January 15, 2003.

Resolve 2001, chapter 116 was enacted as an emergency measure effective April 11, 2002.